

PARTIAL RELEASE

Know all men by these presents that for and in consideration of the part payment of the indebtedness described in and secured by that certain Deed of Trust dated December 27, 1994, executed by BEN W. SMITH and GAIL SMITH, to T. H. Carroll, Jr.

as Trustee for SUNBURST BANK aka UNION PLANTERS BANK, as Beneficiary, which Deed of Trust is recorded in Book 744, Page 539 of MS, in the office of the Chancery Clerk of DeSoto County, Mississippi, the undersigned SUNBURST BANK aka UNION PLANTERS BANK named in Deed of Trust, has bargained and sold and by these presents does bargain, sell, convey, remise, release and quitclaim unto the said BEN W. SMITH and GAIL SMITH, the following described property located in DeSoto County, Mississippi, to-wit:

Lot 1, Dustin Place Subdivision, in Section 8, Township 2 South, Range 7 West, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 38, Pages 23-24, in the office of the Chancery Clerk of DeSoto County, Mississippi.

STATE MS. - DESOTO CO.

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BK 836 PG 443
W.E. DAVIS CH. CLK.

To have and to hold the aforescribed real property unto the said BEN W. SMITH and GAIL SMITH and to their successors, heirs and assigns in fee simple forever, free and discharged from the lien of said Deed of Trust and the indebtedness secured thereby.

But this is a Partial Release and as to all other property described in and conveyed by said Deed of Trust not heretofore nor hereby released, the lien of same shall continue in full force and effect.

WITNESS my signature this the 5th day of JUNE, 1996.

SUNBURST BANK,
now known as
UNION PLANTERS BANK OF MISSISSIPPI


By: 

GEORGE M. KLEPPER, III - SR. VICE PRES.

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally came and appeared before me, the undersigned authority of law in and for the jurisdiction aforesaid, the within named GEORGE M. KLEPPER, III, who acknowledged that as SR. VICE PRESIDENT of the above corporation, he signed, executed, attached the corporate seal, and delivered the foregoing instrument for and on behalf of said corporation on the day and year therein mentioned.

GIVEN UNDER MY HAND and seal of office this the 5th day of JUNE, 1996.


Notary Public

My Commission expires:

7-24-97

This instrument prepared by:
Arthur E. Huggins, Attorney
P. O. Box 8
Southaven, MS 38671
601-342-1616